

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **SACV 23-1243-KK-DFMx**

Date: June 26, 2024

Title: *Joanna Ardalan, et al. v. Doe 1, et al.*Present: The Honorable **KENLY KIYA KATO**, UNITED STATES DISTRICT JUDGE

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) Order

On July 12, 2023, plaintiffs Joanna Ardalan and One LLP (“Plaintiffs”) initiated this action by filing a Complaint against Doe defendants 1 through 10. ECF Docket No. (“Dkt.”) 1.

On November 29, 2023, the Court issued an Order to Show Cause why this action should not be dismissed for lack of prosecution in light of Plaintiffs’ failure to identify and serve the Doe defendants within 90 days after the filing of the Complaint. Dkt. 21; see also FED. R. CIV. P. 4(m).

On December 11, 2023, Plaintiffs filed an Ex Parte Application for leave to conduct early discovery regarding the identities of the Doe defendants (“Application”). Dkt. 23. On December 13, 2023, the Court issued an Order granting Plaintiffs’ Application. Dkt. 24.

On May 2, 2024, the Court issued an Order requiring Plaintiffs to file a report regarding the status of service of the Complaint. Dkt. 26.

On May 9, 2024, Plaintiffs filed a response to the Court’s May 2, 2024 Order. Dkt. 27. Plaintiffs indicated they had served subpoenas on multiple entities to obtain information regarding the Doe defendants’ identities and “ha[d] not yet received [responsive] documents.”¹ Id. at 2. Accordingly, Plaintiffs requested “an additional 30 days to collect documents from the subpoenaed parties and complete any further service efforts.” Id. However, to date, Plaintiffs have not filed an

¹ Plaintiffs do not identify the date(s) on which such subpoenas were served. See dkt. 27 at 2.

amended complaint identifying the Doe defendants or a request for a further extension of time to complete service.

This matter has been pending for nearly twelve months. Nevertheless, to date, no Doe defendant has been identified or served. The Court is not pleased with Plaintiffs' lack of diligence in pursuing their claims. Accordingly, the Court hereby orders Plaintiffs to file a First Amended Complaint identifying the Doe defendants **no later than July 12, 2024**. Any request for an extension of this deadline must be filed in advance of the deadline.

Plaintiffs are expressly warned that failure to comply with this Order will result in this action being dismissed without prejudice for failure to prosecute and comply with court orders. See FED. R. CIV. P. 41(b).

IT IS SO ORDERED.